

By: Alvarado, et al.

S.B. No. 484

A BILL TO BE ENTITLED

AN ACT

relating to portable generator safety and warning labels.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle A, Title 9, Health and Safety Code, is amended by adding Chapter 761 to read as follows:

CHAPTER 761. PORTABLE GENERATOR SAFETY

Sec. 761.001. WARNING LABEL REQUIRED. (a) A manufacturer who produces or distributes for retail sale in this state a portable generator without a carbon-monoxide kill switch installed on the generator shall place a warning label on the generator and the generator's packaging notifying consumers of the risk of carbon monoxide poisoning and providing information on the safe operation of the generator.

(b) A retailer who offers for sale or resale a portable generator shall ensure any generator subject to Subsection (a) complies with the warning label requirements.

(c) The commissioner of insurance by rule shall prescribe the requirements for the warning label required by this section.

Sec. 761.002. CIVIL ACTION. (a) A manufacturer or retailer who violates Section 761.001 is liable in a civil action for personal injury, death, or other damages caused to a person by the violation.

(b) A person who prevails in an action against a manufacturer or retailer under this section is entitled to obtain:

- 1 (1) appropriate injunctive relief;
- 2 (2) actual damages; and
- 3 (3) court costs and reasonable attorney's fees.

4 Sec. 761.003. DECEPTIVE TRADE PRACTICE; ENFORCEMENT BY
5 ATTORNEY GENERAL. A violation of Section 761.001 is a deceptive act
6 or practice actionable under Subchapter E, Chapter 17, Business &
7 Commerce Code, as an enforcement action by the consumer protection
8 division of the attorney general's office.

9 SECTION 2. As soon as practicable after the effective date
10 of this Act, the commissioner of insurance shall adopt the rules
11 required by Chapter 761, Health and Safety Code, as added by this
12 Act.

13 SECTION 3. The change in law made by this Act applies only
14 to a cause of action that accrues on or after the effective date of
15 this Act.

16 SECTION 4. This Act takes effect September 1, 2025.